

Odometer Information

Odometer Reading Required - Certain Vehicles Exempt

Missouri law requires the seller of a motor vehicle to record the mileage registered on the odometer at the time of transfer on the assignment of the certificate of title. This applies to all motor vehicles except those listed below. On these vehicles, the mileage is not required to be recorded on any ownership document and no mileage documentation of any kind is required. If the seller provides the odometer reading on one of these exempt vehicles, it will not be recorded on the subsequent title issued unless specifically requested by the applicant.

Exempt from Odometer Disclosure:

1. Any motor vehicle having a gross vehicle weight rating of more than 16,000 pounds;

NOTE: Pick-up trucks and vans are not exempt from mileage requirements.

2. Any motor vehicle that is 10 years old or older;

Example: To determine the age of the vehicle for the 10-year exemption, take the year the vehicle was purchased by the applicant (rather than the current model year) and subtract 10. This calculation will give you the first **exempt** model year. For example, during calendar year 2004, mileage is not required on any assignment of title completed during the year (vehicles purchased in 2004) on any 1994 or older model vehicle (2004 - 10 = 1994).

3. Any motor vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications; and
4. Any motor vehicle transferred on a Manufacturer's Statement of Origin on or after July 1, 1991, from one **franchised** motor vehicle dealer to another **franchised** motor vehicle dealer.

Notary Requirements on Title Assignments/ Mileage Documentation

Missouri Certificates of Title, Odometer Disclosure Statements, and any other documentation relating to mileage are no longer required to be notarized. This applies to all transfers of ownership made on or after August 28, 1989. If the transfer of ownership occurred prior to August 28, 1989, the documents must be notarized. The state of Missouri will continue to honor the notary requirements of other states.

Mileage Brands

A mileage brand appears on all Missouri Certificates of Title issued on or after August 28, 1989.

If the seller states that to the best of his or her knowledge, the mileage disclosed on the Certificate of Title and on the Odometer Disclosure Statement, if applicable, is the actual mileage of the motor vehicle, **“ACTUAL MILEAGE”** will be printed on the face of the Missouri Certificate of Title. In this situation, the seller should not check any of the boxes on the Certificate of Title or the Odometer Disclosure Statement.

If, upon receiving an application for a certificate of title, the director of revenue has credible evidence that the odometer reading is materially inaccurate, i.e., previous odometer documentation exists that conflicts with the current application, an asterisk may be printed on the face of the Missouri Certificate of Title that references a statement on the face and at the bottom of the title document which reads as follows:

“This may not be the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy.”

Any person may challenge the director's decision to place the statement referenced on the Missouri Certificate of Title in any Missouri Circuit Court. The burden of proof shall be on the director of revenue in such proceedings.

True Mileage Unknown

If the seller(s) know(s) that the true mileage of the motor vehicle is different from the mileage shown on the odometer and the difference is greater than that caused by an odometer calibration error, or that the true mileage is unknown, the seller(s) must provide a statement containing all known facts concerning the true mileage. The seller(s) must also check the appropriate box on the certificate of title and the Odometer Disclosure Statement, if applicable. In this situation, the following brand will appear on the face of the Missouri Certificate of Title and any subsequent title:

“WARNING - ODOMETER DISCREPANCY. This is not the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy.”

Obtaining Mileage for Corrected Titles

Odometer Repair

Mileage Rolled Over

If the seller(s) know(s) that a motor vehicle's five-digit odometer reading has rolled over after registering 99,999 miles, the seller must:

1. Record the five-digit mileage figure **actually appearing on the odometer** in the mileage block on the title assignment and odometer statement, if applicable; and
2. Check the appropriate box on the Certificate of Title and the Odometer Disclosure Statement, if applicable. In this situation, the following brand will appear on the face of the Missouri Certificate of Title and any subsequent title.

"This is not the true and accurate mileage of this motor vehicle. Consult the documents on file with the Missouri Department of Revenue for an explanation of the inaccuracy. MILEAGE EXCEEDS THE MECHANICAL LIMITS."

If a motor vehicle is equipped with a six-digit odometer, the six-digit mileage figure must be recorded by the seller(s) on the title assignment and Odometer Disclosure Statement, if applicable.

If an applicant is applying for a corrected title because of the mileage reading on the title, the applicant must submit:

1. A statement signed by both the buyer(s) and seller(s) explaining the mileage error; and
2. A new Odometer Disclosure Statement, completed in full by the buyer(s) and seller(s), if ownership of the vehicle was transferred on or after August 28, 1989.

Section 407.531, RSMo states "...nothing in Sections 407.511 to 407.556, RSMo shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair, or replacement occurred."

When the repaired or replaced odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero and a notice, in writing, shall be attached to the left door frame of the vehicle by the owner or his or her agent, specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced.

Criminal Penalties for Odometer Fraud

Removal or alteration of the notice required by Section 407.531.2, RSMo is an infraction.

Section 407.536, RSMo provides that any person defacing, obscuring, or otherwise falsifying any odometer reading on any certificate of certificate, Odometer Disclosure Statement, separate statement, or application for title shall be guilty of a class D felony.

407.516 Odometer fraud, first degree, penalty:

1. A person commits the crime of odometer fraud in the first degree if he or she advertises for sale, sells, installs or has installed any device which causes an odometer to register any mileage other than the true mileage driven.
2. For purposes of this section, the true mileage driven is the mileage registered by the odometer with the manufacturer's designed tolerance.
3. Odometer fraud in the first degree is a class A misdemeanor.

407.521 Odometer fraud, second degree, penalty:

1. A person commits the crime of odometer fraud in the second degree if he or she, with the intent to defraud, disconnects, resets or alters the odometer of any motor vehicle with the intent to change the number of miles indicated thereon.
2. The disconnection, resetting or altering of any odometer while in the possession of the person shall be prima facie evidence of intent to defraud.
3. Odometer fraud in the second degree is a class D felony.

407.526 Odometer fraud, third degree, penalty:

1. A person commits the crime of odometer fraud in the third degree if, with the intent to defraud, he or she operates a motor vehicle less than 10 years old on any street or highway knowing that the odometer of the motor vehicle is disconnected or not functioning.
2. Odometer fraud in the third degree is a class C misdemeanor.

Odometer Fraud - Court Proceedings

407.542 Attempt to commit odometer fraud in first or second degree, penalties:

1. A person is guilty of an attempt to commit odometer fraud in the first degree or odometer fraud in the second degree when, with the purpose of committing the offense, he or she does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.
2. It is no defense to a prosecution under this section that the offense attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such offense could have been committed had the attendant circumstances been as the actor believed them to be.
3. An attempt to commit odometer fraud in the first or second degree is a class C misdemeanor.

407.543 Conspiracy to commit odometer fraud in first or second degree, penalty:

1. A person is guilty of conspiring with another person or persons to commit odometer fraud in the first or second degree if, with the purpose of promoting or facilitating its commission, he agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such an offense.
2. The provisions of Section 564.016, RSMo shall apply to this section and as is provided in that section, conspiring to commit odometer fraud in the first or second degree is a class C misdemeanor.

407.544 Prior convictions for odometer frauds, court may increase sentence, penalties:

Notwithstanding any provision of law to the contrary, a court may enhance the sentence for any person convicted of violating Sections 407.516, 407.521, 407.526, 407.536, 407.542 or 407.543, RSMo who has a prior conviction for any one of the foregoing sections to a fine and to a time of imprisonment within the Department of Corrections for a term not to exceed that otherwise authorized by law for violation of a class D felony.